

Nov-19-01 18:46

From-LAHIVE & COCKFIELD, LLP

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T-340 P 02/12 F-260

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\* Admitted in NY only  
\*\* Passed the Patent Bar Examination  
--- Admitted in TX only

November 20, 2001

Ms. Brenda Akins  
University of Iowa Research Foundation  
Oakdale Research Campus  
214 Technology Innovation Center  
Iowa City, Iowa 52242

RE: Continued Prosecution Application of Serial No. 09/541,873  
"AN AUTOINDUCER MOLECULE"  
Filed: April 3, 2000  
Your Reference: UIRF No. 93-55 DIVCNCPA  
Our Reference: UIZ-003DVCNCPA

Dear Brenda:

12/13/2001 GANTHONY 00000001 Enclosed ~~Please~~ find copies of the above-identified continued prosecution application,  
Sale Ref: 00000001 DDM 12/00/01 09541873 and accompany Preliminary Amendment, that were filed with the U.S. Patent and Trademark  
01 FC:102 160.00 CH 74.00 CT  
02 FC:179 ~~on~~ on November 19, 2001, via facsimile transmission procedure.

We will keep you apprised of developments in this case as they arise. In the meantime, if you have any questions or comments, please call us.

Sincerely,

LAHIVE & COCKFIELD, LLP

  
Peter C. Lauro, Esq.

PCL/JGW:vlh  
Enclosures

cc: Andrew Cubitt (w/ enc.)  
Elizabeth A. Hanley, Esq. (w/o enc.)  
Jacob G. Weintraub, M.S. (w/o enc.)

Customer No. 000959

REQUEST FOR CONTINUED PROSECUTION APPLICATION (CPA) UNDER 37 CFR 1.53(d)

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION SERIAL NUMBER:	PRIOR APPLICATION FILING DATE:
UIZ-003DVCNCPA	CLASS.	SUBCLASS:	09/541,873	APRIL 3, 2000
			EXAMINER: B. TRINH	ART UNIT: 1625

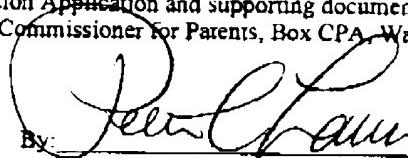
COMMISSIONER FOR PATENTS  
BOX CPA  
WASHINGTON, DC 20231

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this Request for Continued Prosecution Application and supporting documents are being facsimile transmitted on the date indicated below to the Commissioner for Patents, Box CPA, Washington, DC 20231, at 703-872-9306, on:

November 19, 2001  
Date of Signature and of Facsimile  
Transmission

By:



Peter C. Lauro, Esq.  
Registration No. 32,360  
Attorney for Applicants

Dear Sir:

This is a request for filing a continued prosecution application under 37 CFR 1.53(d), of pending prior application no. 09/541,873, filed on April 3, 2000, entitled AUTOINDUCER MOLECULE, which in turn is a continuation of application no. 08/456,864, filed on March 17, 1999, now issued as U.S. Patent 6,057,288, which in turn is a continued prosecution application of application no. 08/456,864, filed on June 1, 1995, now abandoned, which in turn is a divisional application of application no. 08/104,487, filed on August 9, 1993, now issued as U.S. Patent 5,591,872, which was filed by the following named inventor(s).

FULL NAME OF INVENTOR	RESIDENCE ADDRESS	CITIZENSHIP
James P. Pearson	412 South Linn Street, Apt. 12, Iowa City, Iowa 52240	U.S.
	<u>POST OFFICE ADDRESS</u>	
	Same as above	
FULL NAME OF INVENTOR	RESIDENCE ADDRESS	CITIZENSHIP
Kendall M. Gray	120 ½ Fairchild, Iowa City, Iowa 52245	U.S.
	<u>POST OFFICE ADDRESS</u>	
	Same as above	
FULL NAME OF INVENTOR	RESIDENCE ADDRESS	CITIZENSHIP
Luciano Passador	604-12 Suburban Court, Rochester, New York 14620	Canadian
	<u>POST OFFICE ADDRESS</u>	
	Same as above	
FULL NAME OF INVENTOR	RESIDENCE ADDRESS	CITIZENSHIP

Kenneth D. Tucker	20408 Afternoon Lane, Germantown, Maryland 20874	U.S.
<u>POST OFFICE ADDRESS</u>		
Same as above		
<u>FULL NAME OF INVENTOR</u>	<u>RESIDENCE ADDRESS</u>	<u>CITIZENSHIP</u>
Anatol Eberhard	2434 Cottington Road, Brooklandale, New York 14817	U.S.
<u>POST OFFICE ADDRESS</u>		
Same as above		
<u>FULL NAME OF INVENTOR</u>	<u>RESIDENCE ADDRESS</u>	<u>CITIZENSHIP</u>
Barbara H. Iglewski	8 McCoard Woods, Fairport, New York 14450	U.S.
<u>POST OFFICE ADDRESS</u>		
Same as above		
<u>FULL NAME OF INVENTOR</u>	<u>RESIDENCE ADDRESS</u>	<u>CITIZENSHIP</u>
Everett P. Greenberg	4020 Stewart Street, Iowa City, Iowa 52240	U.S.
<u>POST OFFICE ADDRESS</u>		
Same as above		

The above-identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this Continued Prosecution Application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

1.  This application discloses only subject matter disclosed in the prior application whose particulars are set out above and the inventors in this application are the same as those named in the prior application.
2.  Applicants hereby request a shift of election of invention from that constructively elected in the prior application to the invention recited in claims 44-43 submitted in the prior application and withdrawn from consideration as directed to constructively non-elected subject matter.
3.  A preliminary amendment is enclosed.

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 2 and 3 above.

				SMALL ENTITY	OTHER THAN A SMALL ENTITY
	NUMBER OF CLAIMS FILED			RATE	FEES
TOTAL	10	MINUS	20	= 0	
INDEP	5	MINUS	3	= 2	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS					
				x 9 -	\$ 00
				x 42 -	\$ 00
				+140 =	\$ 00
				BASIC FEE	\$ 00
				TOTAL	\$ 00
OR					
				RATE	FEES
				x 18 -	\$ 00
				x 14 -	\$ 168 00
				+ 280 -	\$ 00
				BASIC FEE	\$ 740 00
				TOTAL	\$ 740 00

4.  The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 and 1.17 which may be required, or credit any overpayments, associated with this communication, to Deposit Account No. 12-0080.
5.  Please charge Deposit Account No. 12-0080 the amount of \$908.00 for payment of the filing fee.

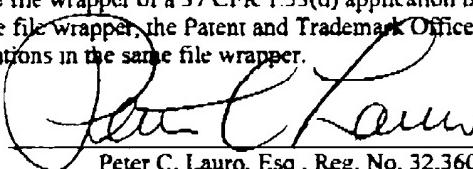
6.  The prior application is assigned of record to:  
University of Iowa Research Foundation; recorded October 18, 1993, Reel 6726 Frame 0439-0440;  
University of Rochester; recorded October 18, 1993, Reel 6726 Frame 0443-0444; and  
Ithaca College; recorded October 18, 1993, Reel 6726 Frame 0441-0442.
7.  The power of attorney in the prior application is to Lahive & Cockfield, LLP
8.  Applicants request any extensions of time necessary to respond.
9.  Address all future communications (may only be completed by applicant or attorney or agent of record) to Elizabeth A. Hanley, Esq. at Customer No. 000959, whose address is.

LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, MA 02109

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the application in the file wrapper of a 37 CFR 1.53(d) application be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

November 19, 2001

Date

  
Peter C. Lauro, Esq., Reg. No. 32,360  
Attorney of Record